
IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

ELET NEILSON,

Defendant.

ORDER TO CONTINUE JURY TRIAL

Case No. 1:17-cr-00043 DB

Judge Dee Benson

Based on the Motion to Continue Jury Trial filed by defendant, Elet Neilson, in the above-entitled case, and for good cause appearing, the court makes the following findings:

1. Defendant first appeared in this Court on August 16, 2017 for the Initial Appearance on the Indictment returned in this matter. The jury trial was scheduled for October 23, 2017, which was within the 70-day time period of the Speedy Trial Act.
2. Defendant has moved to continue trial pursuant to 18 U.S.C. § 3161(h)(7). This is the first request to continue trial in this matter.
3. The length of delay requested is 90 days.
4. Specifically, defendant has alleged that the continuance is necessary because the ends of justice served by taking such action outweigh the best interest of the public and the Defendant in a speedy trial.
5. The facts that support this allegation include the following: This case is extremely unusual and complex to a degree that it would be unreasonable to

expect adequate preparation for trial within the time established by the Speedy Trial Act.

6. Defendant is not in custody and agree(s) with the need for a continuance of the trial and agrees that the defense will not be hindered or prejudiced by the delay.
7. Counsel for the Government, Assistant United States Attorney, Stew Young, was contacted and stipulated to a 90 day continuance in the matter.
8. There are no other defendants.

Based on the foregoing findings, the court concludes that the failure to grant such a continuance would deny defense counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. Therefore, the ends of justice served by such a continuance outweigh the best interests of the public and the defendant in a speedy trial.

THEREFORE, the Jury Trial previously scheduled to begin on October 23, 2017, is hereby continued to the 23rd day of January, 2018, at 8:30 a.m. Accordingly, the time between the filing of the Motion, October 5, 2017, and the new trial date set forth above, is excluded from Defendant's speedy trial computation for good cause.

DATED this 5th day of October, 2017.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Dee Benson", written over a horizontal line.

DEE BENSON
United States District Court Judge